

Appl. No.: 09/458,602  
Amdt. Dated 11/20/2007  
Reply to Office Action of 08/24/2007

## **REMARKS**

This response is submitted in reply to the outstanding Office Action dated August 24, 2007. Claims 1, 3, 4 and 6-15 currently stand rejected and are the only pending claims in the present application. Applicants respectfully traverse.

In light of the remarks presented below, Applicants respectfully request reconsideration and allowance of all now-pending claims of the present invention.

### **Claim Rejections - 35 USC §103**

Claims 1-2, 7, 9 and 11-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhang et al. (U.S. Patent No. 6,253,327, hereinafter, "Zhang") in view of Bartoli et al. (U.S. Patent No. 6,047,268, hereinafter "Bartoli") and further in view of Brown et al. (U.S. Patent No. 7,086,085, hereinafter "Brown"). Claims 3, 4, 6, 8 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Zhang in view of Bartoli and Brown, and further in view of Lim et al. (U.S. Patent No. 6,434,619, hereinafter "Lim").

Applicants respectfully note that Brown's earliest claim of priority is to a provisional application filed June 21, 2000, which is after the filing date of the present application of December 8, 1999. Accordingly, Brown is not prior art with respect to the present application and cannot be used as a reference in combination with the remaining cited references to support a rejection under 35 U.S.C. §103(a). Accordingly, the rejections of claims 1, 3, 4 and 6-15, each of which relies upon Brown, are improper. Moreover, since the Office Action admits the remaining references, combined or alone, fail to teach or suggest each and every feature of the claimed invention, claims 1, 3, 4 and 6-15 are patentable over the remaining cited references.

Accordingly, for the reasons stated above, Applicants respectfully submit that the rejections of claims 1, 3, 4 and 6-15 are overcome.

Appl. No.: 09/458,602  
Amdt. Dated 11/20/2007  
Reply to Office Action of 08/24/2007

### CONCLUSION

In view of the remarks submitted above, it is respectfully submitted that the present claims are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The Examiner is encouraged to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present invention.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



Chad L. Thorson  
Registration No. 55,675

**Customer No. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON NOVEMBER 20, 2007  
LEGAL01/13067210v1